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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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SHERMAN GOTTLIEB, : 04-CV-4202 (ILG) (VVP)
: Plaintiff,
: -against-
: PLAINTIFF SHERMAN
: GOTTLIEB'S PROPOSED VOIR DIRE
CARNIVAL CORPORATION, :
: Defendant.
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Plaintiff Sherman Gottlieb proposes that, after giving a brief summary of the dispute, the venire be questioned as follows, with follow-up questions as appropriate.

1. Do you know or have you heard of plaintiff Sherman Gottlieb? If so, how do you know him? How, if at all, will that affect your view of this case?
2. Do you know or have you heard of SMG Travel, which is operated by Sherman Gottlieb? If so how do you know SMG Travel? How, if at all, will that affect your view of this case?
3. Plaintiff Sherman Gottlieb is represented by attorneys Andre K. Cizmarik and Anthony J. Viola of the law firm Edwards Angell Palmer & Dodge, LLP. Do any of you know any of plaintiff's trial attorneys or their firm? If so, how do you know them? How, if at all, will that affect your view of this case?

4. Defendant Carnival Corporation is represented by attorneys Joseph J. Saltarelli and Victor L. Prial of the law firm Hunton & Williams LLP. Do any of you know any of defendant's trial attorneys or their firm? If so, how do you know them? How, if at all, will that affect your view of this case?

5. The defendant, Carnival Corporation is a large operator of cruise ships. It consists of the following cruise brands: Carnival Cruise Lines, Princess Cruises, Holland America Line, The Yachts of Seabourn, P&O Cruises, Cunard, Ocean Village, AIDA Cruises, Ibero Cruceros, and Costa Cruises. Have you had any dealings or experiences with Carnival Corporation or any of their cruise brands? If so, can you describe your dealings or experiences with Carnival Corporation? How, if at all, will dealings or experiences affect your view of this case?

6. Has anyone close to you ever had a dispute with Carnival Corporation? If so, how, if at all, will that affect your view of this case?

7. Carnival Corporation is a publicly traded company. Do you own any stock in Carnival Corporation? If so, how, if at all, will that affect your view of this case?

8. Are you or any of your family involved in the travel business, for instance, as a travel agent or someone who works for a cruise company or airline? If so, how, if at all, will that affect your view of this case?

9. This case deals with unsolicited advertisements in the form of faxes. Have you ever received an unsolicited fax? If so, how, if at all, will that affect your view of this case?

10. Have you ever received an unsolicited email? If so, how, if at all, will that affect your view of this case?

11. Have you ever received an unsolicited phone call? If so, how, if at all, will that affect your view of this case?

12. It is expected that the following people, aside from Mr. Gottlieb, may testify, either in person or by deposition: Frederick Stein and Louis Mauriello. Mr. Stein is an employee of Carnival and he works and lives in the Miami, Florida area. Mr. Mauriello is an attorney who lives and works in Staten Island. Do you know or have you heard of either of them? If so, how do you know them? What have you heard about them? How, if at all, will that affect your view of this case?

13. What was the highest level of schooling you achieved?

14. Describe your employment, including name of employer, title and position, for the past ten years.

15. Do you or have you ever held a leadership position in a social or civic organization? If so, what is the name of the organization and your position?

16. Have you or any close relative or friend ever been a party to a lawsuit or administrative proceeding? If so, what type of law suit was it? What was your involvement? What was the outcome of the case? Were you satisfied with the outcome? How, if at all, will that case affect your view of this case?

17. Have you or any close relative or friend ever testified as a witness at trial or grand jury? If so, how, if at all, will that experience affect your view of this case?

18. Do you have any opinions about how lawsuits are supposed to end, whether in verdicts or in settlements? If so, what are those opinions?

19. Do you have any opinions about the types or amounts of damages a plaintiff who proves his case should be entitled to? If so, what are those opinions?

20. Have you ever been a juror? If so, how did the case or cases on which you sat conclude? Was there anything about that experience that would affect your ability to be fair and impartial in this case?

21. If you are selected as a juror, your job would be to determine the facts, and it is the Court's job to determine the legal principals. The Court will instruct you as to what the law is, and your job will be to apply that law to the facts as you find them. Is there any reason why you will not be able to follow the Court's instructions on the law, even if you disagree with them?

22. Based on what you know about this case so far, do you have any feeling that may affect your ability to consider this case fairly and impartially?

23. Is there anything else you feel you should bring to the Court's attention at this time that you believe would affect your ability to be a fair and impartial juror in this case?

Dated: New York, New York
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